Ballona Wetlands Concept Review – Preliminary Comments To Date

January 2022

LA County Public Works, on behalf of the LA County Flood Control District (LACFCD), has reviewed the Ballona Wetlands Restoration Project concept proposal submitted by the California Department of Fish and Wildlife (CDFW). The preliminary comments below are intended to help guide and inform future plan development and do not represent approval of the Project. Any Project approval by the LACFCD and/or the issuance of a LACFCD Permit would be subject to review of future plans and other pertinent documents, including a Section 408 permit from the U.S. Army Corps of Engineers (Army Corps).

MAJOR COMMENTS TO HIGHLIGHT:

1. Per the Army Corps, the Project Design Q shall be a minimum of 68,000 cfs.
2. CDFW would need to enter into maintenance agreement with LACFCD. General maintenance framework is as follows:
    a. LACFCD's O&M responsibilities shall be limited to the perimeter levees and related flood control infrastructure only (including the upstream trash boom, new levee access roads and fencing, and flap gates for LACFCD purposes only).
    b. LACFCD shall not be responsible for maintenance within the wetlands, which shall be the responsibility of CDFW, including but not limited to, the new natural meander-shaped channel, vegetation and habitat management, landscaping, pedestrian walkways/paths, sediment basins, sediment removal, PEH encampments, water control structures, water level monitoring devices, armoring, management berms, culverts and weirs, and trash removal.
    c. CDFW to provide an O&M jurisdictional map identifying the maintenance and ownership boundaries of the various, respective agencies.
    d. CDFW shall be responsible for maintaining/restoring flow conveyance capacity within the Project area through regular sediment removal. It is also recommended that sediment removal include the upstream portion of Ballona Creek channel from 500 feet upstream and 2,500 feet downstream of the Centinela and Ballona Creek confluence (outside of Project area).
    e. It is recommended that, as part of the proposed project, CDFW evaluate the entire Ballona Creek levee system from Centinela to Pacific Avenue (excluding Project Area) and conduct repairs as needed.

FULL SET OF COMMENTS TO BE ADDRESSED IN FUTURE PLAN SUBMITTAL:

1. The project doesn't mention other planned projects in the area, such as Trash Interceptor, trash nets, etc. Will this restoration have impact on these projects?
2. Some of the project components include bioswales, however the maintenance needs of those bioswales were not described/considered.
3. Ballona Creek has several TMDLs, and the proposed restoration project can have potential benefits towards improving water quality in Ballona Creek. It would be

beneficial to quantify the benefits of pretreatment basins/stormwater wetlands from a stormwater quality standpoint.

4. The efforts associated with trash removal operations seems to be underestimated in the maintenance section of the proposal.
5. Ballona Creek Channel shall maintain a flow-carrying capacity of 68,000 cfs in accordance with the Army Corps requirements.
6. In order to restore flow capacity sediment removal shall be provided in the Project Area. It is also recommended sediment removal include the upstream portion of Ballona Channel from 500 feet upstream and 2,500 feet downstream of the Centinela and Ballona Creek confluence as noted in attached file from Design Division.
7. Ballona Creek Channel requires both a short term and long-term O&M to maintain the flow capacity of the newly meandering Ballona Creek Channel, and Ballona Reserve with the new Perimeter Levees.
8. The LACFCD Operation and Maintenance (O&M) responsibilities shall be limited to the Perimeter Levees and related flood control infrastructure only, this would include items such as the upstream trash boom, new levee access roads and fencing, and flap gates necessary for flood control purposes only. The new Perimeter Levees shall be required to be maintained in accordance with Army Corps guidelines which require to be vegetation free for the purposes of proper inspection and structural integrity of the perimeter levee system. In addition, LACFCD shall be able to maintain a 15-foot maintenance clearance from the toe of the levee (both sides of the channel), including being able to perform structural repairs on the levee itself (riverside and landside) to comply with the Army Corps Levee Safety Program.
9. LACFCD and CDFW shall enter into a long-term Streambed Alteration Agreement, with the intent that no compensatory mitigation will be required for LACFCD's long term Operation and Maintenance (O&M) activities of the Levee System.
10. O&M for non-flood or storm water drainage structures and other related infrastructure that is necessary for habitat purposes within the Ballona Reserve and Ballona Channel shall not be the responsibility of LACFCD. These items include, but are not limited sediment basins, water control structures, water level monitoring devices, management berms, culverts, and weirs located in Areas A, B and C. They shall be the responsibility of CDFW.
11. Vegetation and habitat management such as vegetation maintenance, irrigation, weeding and nonnative removal within the Ballona Reserve (Area A, B, and C) and Ballona Channel shall not be the responsibility of LACFCD. The O&M for the Ballona Reserve (Area A, B, and C) shall be the responsibility of CDFW.
12. LACFCD does not maintain bike paths. The proposed bike path, located within the Unincorporated Area, shall be maintained by LACDPW Road Maintenance Division (County). LACFCD will maintain non-public access roads associated with Perimeter Levee system only. Bike trails proposed outside of the new levee perimeter/access road should be the responsibility of the State.
13. LACFCD shall not be responsible for the O&M of pedestrian paths, public provided services, and the overall general maintenance of the areas that are accessible to the public, which includes, but is not limited to pedestrian paths and boardwalks, sitting, and viewing areas, interpretative signage, and entrances and exits to the Ballona Reserve.

14. LACFCD shall not be responsible for the trash removal within the Ballona Reserve and Ballona Channel that is not caught upstream at the existing trash net.
15. A long-term Final O&M Plan will be established among the CDFW, the LACFCD, LACDPW, and other responsible parties to identify all operations and maintenance responsibilities for the new Ballona Creek Channel, Ballona Reserve, and Perimeter Levees including, but is not limited to water control structures, habitat and vegetation, flood risk management controls, and other components of the proposed project.
16. As part of the long-term O&M plan, a jurisdictional map will be needed to identify the maintenance and ownership jurisdictional boundaries of all entities that are located within and/or adjacent to the proposed Ballona Wetlands Restoration project. This map will be helpful in clarifying maintenance boundaries especially when it involves PEH encampment issues.
17. LACFCD shall not be responsible for the removal of and/or cleanup of PEH encampments and any PEH-related trash and debris located within the Ballona Wetlands Restoration and Channel property boundaries.
18. In addition, the entire Ballona Creek Levee System - from Centinela to Pacific Avenue (excluding new Project Area) needs to be evaluated and repaired as a part of this Project. Please contact PW to receive photos and additional details. Work would include an initial (one-time) vegetation removal, and associated repair of displaced soil and rip rap. After the removal of vegetation, the levee would be restored to-as-built conditions.
19. A portion of project area is in the FEMA Flood Zone A (1% annual chance flood area, no defined Base Flood Elevation). Since this area straddles County unincorporated area and the City of LA, the applicant must ensure compliance with NFIP regulations with the City.
20. CDFW must obtain FEMA accreditation of the levees prior to LACFCD taking over operation and maintenance of the flood control levees.
21. The proposed project will increase the extent of a FEMA Special Flood Hazard Area in both the unincorporated area and the City of LA. NFIP regulations will require CDFW to obtain a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction and apply to FEMA for a final Letter of Map Revision (LOMR) within 6 months of completion of construction.
    a. LACFCD understands that the City will take the lead on the project proponent's CLOMR application, with LA County as a cooperating entity.
    b. LACFCD recommends that the CLOMR define a new Zone AE (1% annual flood area with defined Base Flood Elevations) with a regulatory floodway (the minimum path needed to pass the 1% annual chance flood). CDFW will need to perform the hydraulic analyses, work maps and CLOMR/LOMR application packages.
22. The 408 Permit Submittal A states that the CDFW will enter into a long-term operation and maintenance agreement with LACFCD. We recommend that the agreement include a provision that CDFW shall not require any compensatory mitigation from LACFCD for the operation, maintenance, and repair of the project elements under LACFCD's purview.
23. The proposed project includes construction of flood control levees that are intended to be transferred to LACFCD for long-term operation and maintenance. The design of the levees must meet the NFIP criteria stated in 44 CFR 65.10(b)(1):

"Freeboard. (i) Riverine levees must provide a minimum freeboard of three feet above the water-surface level of the base flood. An additional one foot above the minimum is required within 100 feet in either side of structures (such as bridges) riverward of the levee or wherever the flow is constricted. An additional one-half foot above the minimum at the upstream end of the levee, tapering to not less than the minimum at the downstream end of the levee, is also required….
(ii) For coastal levees, the freeboard must be established at one foot above the height of the one percent wave or the maximum wave runup (whichever is greater) associated with the 100-year stillwater surge elevation at the site."

24. During construction of the project, BMPs will need to be imposed to prevent damage and or loss of function of the following trash capture efforts and devices:
    a. Lincoln Avenue Trash Boom (Currently within the project's footprint),
    b. Ballona Trash Capture Project at Alla Road (Future Project), and
    c. Ballona Trash Interceptor Pilot Project near the Pacific Avenue Bridge (Future Project)
25. Within the 408 Permit: Submittal A, trash collection is noted within the Operation & Maintenance Section. The current extent of trash collection within Ballona Creek will change and LACFCD will seek to mitigate any conflicts with the Wetlands Restoration, as currently proposed.
26. Plans shall clearly indicate areas not to be maintained by LACFCD.
27. Prior to construction, CDFW shall provide to the Public Works a copy of the CLOMR issued by FEMA. Please include this as a condition in the permit.